

01-12-01

2 / 4ee Author.  
Letter A  
E. Willis  
3-a-01

PATENT

Attorney Docket No. 56067-97001  
EXPRESS MAIL NO. EE419043162US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL  
(35 U.S.C. § 111 AND 37 CFR § 1.53)

Transmitted herewith for filing is the patent application of

Inventor(s): Faun Jackson, Jr.

For (title): Personal Heat Index Indicator

1. Type of Application

- ☐ original
- ☐ design
- ☐ plant
- ☐ divisional
- ☐ continuation
- ☒ continuation-in-part (C-I-P)

2. Benefit of Prior U.S. Application(s)(35 USC 120)

CERTIFICATE UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the \_\_\_\_\_, below, this correspondence is being

- ☒ deposited with the United States Postal Services in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231, with sufficient postage:

MAILING

37 CFR 1.8(a)

37 CFR 1.10

- ☐ as first class mail

- ☒ as "Express Mail Post Office to Addressee"  
Mailing Label No. EE419043162US

FACSIMILE TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office

Date: 11/11/01

Dianna D. Witte  
Dianna D. Witte

- ☒ The new application being transmitted claims the benefit of prior U.S. application(s) and enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED. (Prior U.S. Application - Serial No. 09/034,835 - Filed 03/04/1998.
- ☐ The new application being transmitted does not claim the benefit of prior U.S. application(s).

**3. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b)(Regular) or 37 CFR 1.153 (Design) Application**

<u>13</u>	Pages of specification
<u>4</u>	Pages of claims (Nos. 1-11)
<u>1</u>	Pages of Abstract
<u>5</u>	Declaration
<u>5</u>	Sheets of drawing
	<input type="checkbox"/> formal
	<input checked="" type="checkbox"/> informal

- ☒ identifying information has been placed on back of each sheet of drawings.

(complete the following, if applicable)

- ☐ The enclosed drawing(s) are photograph(s) and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. 1.84(b)

**4. Additional papers enclosed**

- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement (37 CFR 1.98)
- ☐ Form PTO-1449 (Modified) and \_\_\_\_ cited references
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence
- ☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative
- ☐ Special Comments
- ☒ Pre-addressed postal card

**5. Declaration or oath**

☒ Enclosed

executed by (check all applicable boxes)

- ☒ inventor(s).
- ☐ legal representative of inventor(s). 37 CFR 1.42 or 1.43
- ☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.
- ☐ this is the petition required by 37 C.F.R. § 147 and the statement required by 37 C.F.R. § 147 is attached.

☐ Not Enclosed

- ☐ Application is made by a person authorized under 37 CFR 1.41(c) on behalf of *all the above-named inventor(s)*. (The declaration or oath, along with the surcharge required by 37 CFR 1.16(e), can be filed subsequently.)

**6. Assignment**

- ☐ An assignment of the invention to \_\_\_\_\_:
  - ☐ was filed on \_\_\_\_\_ and recorded \_\_\_\_\_, reel \_\_\_\_\_, frame \_\_\_\_\_.
  - ☐ is attached.
- ☐ A separate Recordation Form Cover Sheet or Form PTO-1619
  - ☐ is attached.
  - ☐ will follow.

**7. Fee Calculation (37 CFR 1.16)**

A. ☒ Regular Application

# CLAIMS AS FILED

Number filed	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$710.00
Total Claims (37 CFR 1.16(c)) 11-20	0	X \$22.00	\$ 0.00
Independent Claims (37 CFR 1.16(b)) 3-3=	0	X \$82.00	\$ 0.00
Multiple dependent claim(s), if any (37 CFR 1.16(d))	0	X \$260.00	\$ 0.00

- ☐ Amendment canceling extra claims enclosed.
- ☐ Amendment deleting multiple-dependencies enclosed.
- ☐ Fee for extra claims is not being paid at this time.

Filing Fee Calculation \$ 710.00

## 8. Small Entity Statement(s)

- x Verified Statement(s) that this is a filing by a small entity under 37 CFR 1.9 and 1.27
- ☐ is(are) attached.
  - ☐ will follow.

Filing Fee Calculation (50% of A, B, or C above) \$ 355.00

## 9. Fee Payment Being Made At This Time

- ☐ Not Enclosed
- ☐ No filing fee is to be paid at this time.
- ☒ Enclosed
  - ☒ basic filing fee \$ 355.00
  - ☐ recording assignment (\$40.00; 37 CFR 1.21(h))(See attached)
  - ☐ Recordation Form Cover Sheet or Form PTO-1619 \$ \_\_\_\_\_
  - ☐ petition fee for filing by other than all the inventors

or person on behalf of the inventor where inventor refused to sign or cannot be reached (\$130.00; 37 CFR 1.47 and 1.17(h))

\$ \_\_\_\_\_

- ☐ for processing an application with a specification in a non-English language (\$130.00; 37 CFR 1.52(d) and 1.17(k))

\$ \_\_\_\_\_

- ☐ processing and retention fee (\$130.00; 37 CFR 1.53(d) and 1.21(l))

\$ \_\_\_\_\_

- ☐ fee for international-type search report (\$40.00; 37 CFR 1.21(e))

\$ \_\_\_\_\_

**Total fees enclosed**

**\$ 355.00**

**10. Method of Payment of Fees**

- ☒ Check in the amount of \$ 355.00  
☐ Charge Account No. 12-0600 in the amount of \$ \_\_\_\_\_.  
A duplicate of this transmittal is attached.

**11. Authorization to Charge Additional Fees**

- x The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 12-0600:
- x 37 CFR 1.16(a), (f) or (g) (filing fees).
  - x 37 CFR 1.16(b), (c) and (d) (presentation of extra claims).
  - ☐ 37 CFR 1.16 (e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application).
  - ☐ 37 CFR 1.17 (application processing fees).
  - ☐ 37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b)).

**12. Instructions As To Overpayment**

- ☐ credit Account No. 12-0600.  
x refund.

**13. Incorporation by reference of added pages**

- x Plus Added Pages For New Application Transmittal Where Benefit Of Prior U.S.

Application(s) Claimed

Number of pages added 0

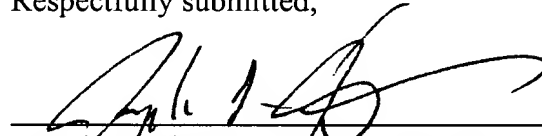
☐ Plus Added Pages For Papers Referred To In Item 4 Above  
Number of pages added \_\_\_\_\_

☐ Plus "Assignment Cover Letter Accompanying New Application"  
Number of pages added \_\_\_\_\_

**14. Statement Where No Further Pages Added**

x This transmittal ends with this page.

Respectfully submitted,



Joseph L. Johnson, Reg. No. 39,718  
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ATTORNEY OF RECORD

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Atty Dkt. No.

Applicant(s): Faun Jackson, Jr.

56067-97001

Serial No.

Filing Date

Examiner

Group Art Unit

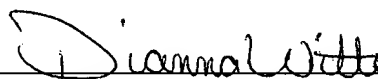
09/034,835  
(Prior U.S. App.)March 4, 1998  
(Prior U.S. App.)D.Larkin  
(Prior U.S. App.)2856  
(Prior U.S.  
App.)

Invention: Personal Heat Index Indicator

I hereby certify that a Continuation-In-Part Application Transmittal in duplicate (12 pages); continuation-in-part application including 13 pages of specifications, 4 pages of claims (Claims 1-11), and 1 page of abstract (18 pages); 5 pages of drawings in triplicate (Figs. 1-5) (15 pages); Combined Declaration and Power of Attorney (5 pages); a Certificate of Express Mailing by Express Mail for EE419043162US (1 page); check in the amount of \$355.00 made payable to Assistant Commissioner of Patents for filing fee; authorization to charge additional fees which may be required, or credit any overpayment, to Deposit Account No.12-0600; and a pre-addressed postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231 on January 11, 2001.

Dianna Witte

(Typed or Printed Name of person Mailing Correspondence)



(Signature of Person Mailing Correspondence)

Express Mail No.EE419043162US

("Express Mail" Mailing Label Number)